

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TYRONE ADAMS,

Plaintiff,

-against-

CITY OF NEW YORK, N.Y.P.D., and DET. SEAN :
MAGUIRE, DET. BRIAN GREEN, and SGT. :
SHAUN GARRETT, *in their individual and official* :
capacities, :

Defendants. :
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GEORGE B. DANIELS, United States District Judge:

Plaintiff Tyrone Adams, *pro se*, has not taken any action to prosecute this case since September 26, 2017, and he has missed two deadlines to oppose Defendants' motion for summary judgment. On February 14, 2018, Magistrate Judge Barbara C. Moses, to whom this case has been referred for general pretrial supervision, directed Plaintiff to notify the court in writing no later than March 14, 2018, if he wished to proceed with this action. (*See* ECF No. 80.) Magistrate Judge Moses indicated in her Order that should Plaintiff fail to do so, she would recommend to this Court that Plaintiff's action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (*Id.*)

On March 28, 2018, after receiving no further communication from Plaintiff, Magistrate Judge Moses issued a Report and Recommendation, recommending that this action be dismissed for failure to prosecute pursuant to Rule 41(b). (*See* Report and Recommendation ("Report"), ECF No. 81.) Magistrate Judge Moses advised the parties that failure to file timely objections to the Report would constitute a waiver of those objections on appeal. (*Id.* at 6.) To date, no objections have been filed.

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ORDER

16 Civ. 6799 (GBD) (BCM)

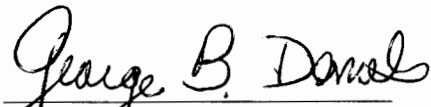
Having reviewed the Report for clear error and finding none, Magistrate Judge Moses's recommendation to dismiss this action pursuant to Rule 41(b) is ADOPTED. The Clerk of Court is directed to close this action accordingly.

This Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith. Therefore, *in forma pauperis* status is DENIED for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

Dated: New York, New York
April 12, 2018

SO ORDERED.

APR 12 2018



GEORGE B. DANIELS
United States District Judge